

REMARKS

Claims 28-44, 50 and 51 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite. More specifically, the Examiner asserts the phrase “fluorine type liquid crystals” in claims 28 and 41 is unclear. In response, Applicants amended these claims to delete “fluorine type” from these claims, and requests withdrawal of the §112 rejection on this basis.

Claims 28-41, 50 and 51 stand rejected under 35 U.S.C. §102(b) as being anticipated by Jin et al. (JP 08-245724). Applicants respectfully traverse the rejection because Jin fails to disclose (or suggest) a liquid crystal display that has a liquid crystal material sealed between a pair of substrates that is provided with negative dielectric constant anisotropy and has an alignment assisting material for vertically aligning the liquid crystal molecules in the ratio specified by independent claims 28 and 41.

Independent claim 28 calls for alignment assisting material having a monofunctional monomer and a multifunctional monomer of acrylate in a mixing ratio by weight in a range from 15:1 to 5:1, and a polymerization initiator which is in a mixing ratio of 2% or less by weight to that the total amount of the monofunctional monomer and the multifunctional monomer. Additionally, the mixing ratio by weight between the liquid crystal material and alignment assisting material is in the range from 99:1 to 90:10. Independent claim 41 recites similar features for the alignment assisting material and mixing ratio. Applicants respectfully submit that Jin fails to disclose or suggest these features recited in independent claims 28 and 41.

In the outstanding rejection, the Examiner asserts Jin discloses a liquid crystal display and corresponding method of manufacturing thereof wherein the liquid crystal display has a liquid crystal material formed of ferroelectric liquid crystals having a negative dielectric anisotropy, and an alignment assisting material comprising a combination of mon-multifunction monomers. However, assuming *arguendo* that the Examiner is correct, Jin still fails to disclose or suggest how the alignment assisting material is specifically formed as recited in the claims. More specifically, Jin fails to disclose or suggest that the alignment assisting material is formed of a monofunctional monomer and a multifunctional monomer of acrylate in a mixing ratio by weight in the range from 15:1 to 5:1.

Moreover, Applicants respectfully submit that Jin does not have the above-described feature in combination with a polymerization initiator which is in a mixing ratio of 2% or less by weight to the total amount of the monofunctional monomer and the multifunctional monomer, or with mixing ratio by weight between the liquid crystal material and the alignment assisting material being in the range from 99:1 to 90:10. Applicants respectfully request that the Examiner specifically identify where these features are disclosed by Jin should the Examiner continue to maintain the outstanding rejection. For all these reasons, withdrawal of the §102(b) rejection of claims 28-41 and 50-51 is respectfully requested.

For all of the foregoing reasons, Applicant submits that this Application is in condition for allowance, which is respectfully requested. The Examiner is invited to contact the undersigned attorney if an interview would expedite prosecution.

If a Petition under 37 C.F.R. §1.136(a) for an extension of time for response is required to make the attached response timely, it is hereby petitioned under 37 C.F.R. §1.136(a) for an extension of time for response in the above-identified application for the period required to make the attached response timely. The Commissioner is hereby authorized to charge any additional fees which may be required to this Application under 37 C.F.R. §§1.16-1.17, or credit any overpayment, to Deposit Account No. 07-2069.

Respectfully submitted,

GREER, BURNS & CRAIN, LTD.

Customer No. 24978

November 12, 2009

300 South Wacker Drive
Suite 2500
Chicago, Illinois 60606
Phone: (312) 360-0080
Fax: (312) 360-9315
P:\DOCS\1324\70173\FH0673.DOC

By



Joseph P. Fox
Registration No. 41,760